

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JACK PROCTOR,) CIVIL ACTION NO. 8:20-CV-94
)
 Plaintiff,)
)
 v.) **PROTECTIVE ORDER**
)
 UNION PACIFIC RAILWAY COMPANY)
 A Delaware Corporation,)
)
 Defendant.)

The Court held an informal telephone conference on August 6, 2020, to discuss subpoena recipient PTI's assertion (in which Defendant Union Pacific joined) that the drive-camera videos relating to the subject incident are confidential. Although the parties disagree regarding this confidentiality assertion, and the Court did not rule on the issue, the parties agreed to a limited protective order as follows:

Neither of the parties, including all counsel, shall use these drive camera videos in televised advertising;

The parties, including counsel, will not make these drive camera videos publicly available on the Internet; and

The Parties, including counsel, will not distribute these drive camera videos to anyone outside its office except for consultants or testifying experts it has retained to assist in this case or another case arising out of an injury caused by the allegedly negligent conduct of Professional Transportation Inc., in providing transportation services to a railroad.

At the conclusion of any litigation, if the parties provided these drive camera videos to anyone employed to assist in the litigation, counsel will reclaim them. Counsel, however, may retain copies.

THEREFORE, IT IS ORDERED that the Joint Motion for the Court's entry and approval of their Agreed Protective Order is **GRANTED**.

IT IS SO ORDERED this 9th day of September 2020.

BY THE COURT:

/s/ Cheryl R. Zwart

Hon. Cheryl R. Zwart,
United States Magistrate Judge

Agreed by:

/s/ Paul Banker

Paul Banker
HUNEGS, LENEAVE & KVAS, P.A.
1000 Twelve Oaks Center Drive, Suite 101
Wayzata, MN 55391
Tel: (612) 339-4511
Fax: (612) 339-5150
E-Mail: pbanker@hlklaw.com

ATTORNEYS FOR PLAINTIFF

/s/ Daniel J. Hassing

Daniel J. Hassing
LAMSON, DUGAN and MURRAY, LLP
10306 Regency Parkway Drive
Omaha, NE 68114-3743
Telephone: (402) 397-7300
Telefax: (402) 397-7824
dhassing@ldmlaw.com

ATTORNEYS FOR DEFENDANT